

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

SB 1979 - HB 2289

March 18, 2014

SUMMARY OF BILL: Requires law enforcement agencies to submit any untested sexual assault evidence to the Tennessee Bureau of Investigation (TBI) for analysis within thirty days of collection. The TBI is required to perform such analysis within 90 days of receipt. Any untested sexual assault evidence being stored by law enforcement agencies prior to the effective date of this act is required to be submitted to the TBI by January 1, 2015, to be analyzed as sufficient funding and personnel are available. Specifies that the failure of any law enforcement agency to submit sexual assault evidence, as required by this act, shall not affect the authority of the agency to submit the evidence to the TBI nor TBI to analyze the evidence and provide the results of any such analysis to the appropriate persons. This act will take effect July 1, 2014.

ESTIMATED FISCAL IMPACT:

**Increase State Expenditures – \$10,432,200 /One-Time
\$2,113,900/Recurring**

Other Fiscal Impact – The estimated fiscal impact of the proposed legislation does not include any costs to TBI for completing the analysis of the backlog. The only costs included in the estimated fiscal impact related to the backlog is for necessary storage facility to house all rape kits that were collected by LEAs prior to the passage of the proposed legislation and are submitted to TBI as required by the bill.

Assumptions:

- TBI estimates that the statewide backlog is 20,000 sexual assault kits (SAKs). As a result, a new secure climate controlled storage facility will be necessary to house the backlogged SAKs.
- According to the TBI, storage facilities to house SAKs must be built as such facilities do not exist for rent or lease. TBI would need to build a 5,000 square foot facility to house 20,000 SAKs. According to the TBI, it would cost \$855,000 to build the necessary storage facility (5,000 square feet x \$171 per square foot, the national average for single-story office construction). This expense would be a one-time expenditure incurred in FY14-15.
- The bill will increase the yearly intake of SAKs by the TBI.
- Requiring LEAs to submit all SAKs within 30 days will increase the yearly intake of SAKs by the TBI. The TBI assumes that the submission requirements will double the current intake of approximately 2,831 SAKs. The TBI currently has 21 forensic

scientist positions. To handle the increase in their current caseload, they will need to hire an additional 20 forensic scientists.

- A forensic scientist receives a salary of \$57,300. The recurring cost for one forensic scientist is \$71,911.47 [$\$57,300 + (\$57,300 \times 15.03\% \text{ benefits}) + \$5,999.28 \text{ insurance}$]. The recurring cost of 20 forensic scientists is \$1,438,229.40 ($\$71,911.47 \times 20$). Each forensic scientist also requires one-time expenditures of \$7,400. These include a firearm, badge, lab coat, office space, computer, and telephone. The total one-time increase in expenditures for 20 forensic scientists is \$148,000 ($\$7,400 \times 20$).
- The TBI would also need to hire three additional forensic technicians. A forensic technician receives a salary of \$36,276. The recurring cost for one forensic technician is \$47,727.56 [$\$36,276 + (\$36,276 \times 15.03\% \text{ benefits}) + \$5,999.28 \text{ insurance}$]. The recurring cost of three forensic technicians is \$143,182.68 ($\$47,727.56 \times 3$). Each forensic technician also requires one-time expenditures of \$4,915. These include a computer, software, office space, telephone, etc. The total one-time increase in expenditures for three forensic technicians is \$14,745 ($\$4,915 \times 3$).
- The TBI would also need to purchase seven new vehicles for the motor pool. These vehicles are used to transport the forensic scientists to and from court where they testify in court. Seven new vehicles will cost \$175,000 and will need to be replaced every five years. The annualized cost of the additional vehicles is \$35,000 ($\$175,000 / 5 \text{ years}$).
- The TBI will need to build additional lab space in east Tennessee, west Tennessee, and middle Tennessee. The TBI estimates that 4,000 square feet will be needed in east Tennessee and in west Tennessee. The TBI estimates that 8,000 square feet will be needed in middle Tennessee. The one-time cost to build the additional lab space will cost approximately \$7,264,000 ($16,000 \text{ square feet} \times \$454 \text{ per square foot}$).
- The new lab space will require additional lab equipment. The TBI estimates the lab equipment will cost \$2,150,475 one-time and require consumables and maintenance each year at a cost of \$497,525.
- The total increase in one-time expenditures is \$10,432,220 ($\$855,000 + \$148,000 + \$14,745 + \$7,264,000 + \$2,150,475$).
- The total increase in recurring expenditures is \$2,113,937 ($\$1,438,229 + \$143,183 + \$35,000 + \$497,525$).
- According to the local LEAs, the bill will not have a significant impact as most already submit SAKs upon receipt of the SAK.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.



Lucian D. Geise, Executive Director

/jdb